

BUDGET WEEK

Su	M	Tu	W	Th	F	Sa

HOUSE COMMITTEE ON THE BUDGET
Majority Caucus

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Summarizing budgetary issues in legislation
scheduled for the House floor

12 March 2002

Week of 11 March 2002

SUSPENSION CALENDAR

1) ***Born-Alive Infants Protection Act of 2002*** (H.R. 2175).

This bill would amend the United States Code by expanding the definition of the words "person," "human being," "child," and "individual" as they are used in any act of the Congress or any Federal administrative ruling, regulation, or interpretation. Under the bill, such words would be defined to include every infant born alive at any stage of development. The bill also would define the term "born alive." The Congressional Budget Office [CBO] assumes that the bill would have no effect on trust and estate law and negligible effect on Federal tort law. In the area of criminal law, anyone prosecuted and convicted under H.R. 2175 could be subject to criminal fines. Collections of such fines are recorded in the budget as governmental receipts (revenue), which are deposited in the Crime Victims Fund and spent in subsequent years. The bill does not violate any of the provisions of the Congressional Budget Act.

2) ***Enhanced Border Security and Visa Entry Reform Act of 2002*** (H.R. 1885).

The Legal Immigration Family Equity Act (Public Law 106-553) allowed certain aliens in the United States to apply for permanent U.S. residence if they filed required petitions by 30 April 2001. This bill would: 1) extend that lapsed deadline to 30 April 2002; and 2) require, for a petition for classification or a labor certification that was filed after 30 April 2001, that the alien beneficiary demonstrate that certain conditions existed prior to 15 August 2001. In the case of a petition for classification, the alien beneficiary would need to demonstrate that a family relationship existed before that date. For a labor certification, the alien beneficiary would need to demonstrate that the petition was filed before 15 August 2001. CBO has not scored this bill, but it has scored a similar measure, S. 778. (The major difference between S. 778 and H.R. 1885 is the relevant filing date. H.R. 1885 would establish *after 30 April 2001* as the relevant filing date of a petition for classification or a labor certification. S. 778 would establish *after 14 January 1998* as the relevant filing date.) According to CBO, enacting S. 778 could increase offsetting receipts collected by the Immigration and Naturalization Service by roughly \$200 million over fiscal years 2002 through 2004. The budgetary effect of this legislation is assumed to first occur in the year that the legislation is enacted. The bill does not cause a violation of the Congressional Budget Act

3) ***District of Columbia College Access Improvement Act*** (H.R. 1499).

This bill revises the eligibility requirements for tuition assistance under the District of Columbia College Access Act of 1999. This bill does not increase direct spending (spending not subject to annual appropriations) or reduce revenue.

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PLEASE NOTE: This document addresses budgetary issues only. It should not be taken to express support or opposition on any other grounds. A green flag indicates no serious budgetary or budget compliance concerns. A yellow flag indicates moderate or potential problems. A red flag indicates serious problems. **Note:** Floor schedules and legislative details are subject to change after publication.

This document was prepared by the majority staff of the House Committee on the Budget. It has not been approved by the full committee and may not reflect the views of all the committee's members.

4) ***Sense of the Congress regarding the Bureau of the Census on the 100th anniversary of its establishment*** (H. Con. Res. 339).



This resolution has no budgetary implications.

LEGISLATION CONSIDERED UNDER A RULE

Bill: ***Two Strikes and You're Out Child Protection Act***



Committee: Judiciary

Summary: This bill amends the Federal criminal code to provide for mandatory life imprisonment (unless a death sentence is imposed) of a person convicted of a Federal sex offense in which a minor is the victim if the person has a prior sex conviction in which a minor was the victim.

Budget Act: CBO has not prepared a cost estimate for this legislation. But CBO expects any increase in direct spending or revenue to be less than \$500,000 per year. The potential effect would be an increase in the collection of criminal fines associated with the legislation. This bill does not cause a violation of the Congressional Budget Act.

Bill: ***Class Action Fairness Act of 2002***



Committee: Judiciary

Summary: This bill establishes a consumer class action bill of rights, including provision for: 1) judicial review and approval of noncash settlements; 2) protection against loss by class members – members of a group filing a claim jointly – because of payments to class counsel; 3) a prohibition against court approval of a proposed settlement providing for greater payments to class members because they are in closer geographic proximity to the court; 4) a prohibition against court approval of a proposed settlement providing for payment of a greater share of the award to a class representative serving on behalf of a class; 5) standardized settlement notification information; and 6) pleading requirements. The bill grants the Federal district courts original jurisdiction over any civil action in which the subject at issue exceeds \$2 million, exclusive of interest and costs. In addition, the class action must involve a member of a class of plaintiffs who is: 1) a citizen of a State (of the United States) different from that of any of the defendants in the action; (2) a foreign state, or a citizen or subject of a foreign state, when any of the defendants is a citizen of a State of the United States; or 3) a citizen of a State of the United States, when any of the defendants is a foreign state or a citizen or subject of a foreign state.

Budget Act: Although a CBO cost estimate has not been prepared for this bill, the Budget Committee does not expect it to increase direct spending (spending not subject to annual appropriations) or to cause a decrease in revenue. Therefore, the legislation is not expected to cause a violation of the Congressional Budget Act, or to be subject to points of order against consideration pursuant to provisions of the Budget Act.